IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5896 OF 2004

Kishore Abhiman Patel ...Applicant

Versus

The State of Maharashtra ...Respondent

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Ms.Anjali Iyer for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

JANUARY 11, 2005.

P.C.

1. Heard Counsel for the parties.

2. My attention is invited to the order passed by Sister Justice V.K.Tahilramani on 23rd December 2004 in Criminal Application No.5486 of 2004 in the case of co-accused Pramod Waman Kadam. I propose to adopt the same course by giving liberty to the Applicant to approach the Trial Court afresh in view of the changed circumstances

that co-accused Shri Pandharinath Wani has been released on bail by the Supreme Court and other co-accused Sanjay Patil has been released by this Court on 15th October 2004 and 22nd December 2004 respectively.

3. If fresh Application is filed, the Trial Court shall decide the same on its own merits in accordance with law, uninfluenced by the observations made by this Court or its own order on application for bail in the case of Applicant herein.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.